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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,995	04/08/2004	Arthur R. Hair	HAIR-2 DIV II	9046
7590 Ansel M. Schwartz Attorney at Law Suite 304 201 N. Craig Street Pittsburgh, PA 15213		04/12/2007	EXAMINER CHEVALIER, ROBERT	
			ART UNIT 2621	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
31 DAYS		04/12/2007	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/820,995	HAIR, ARTHUR R.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Bob Chevalier	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 08 April 2004.

2a) This action is FINAL.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-22 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) \_\_\_\_\_ is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) 1-22 are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

    1. Certified copies of the priority documents have been received.

    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

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## DETAILED ACTION

### ***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-2, drawn to a system for manipulation of audio signals including the feature of the "playing mechanism continuing to play the corresponding frequency and amplitude information for each time interval....at which time the changed frequency and amplitude information is played from the memory mechanism", classified in class 386, subclass 96.
  - II. Claims 3-10, drawn to a system for manipulation of audio signals including the feature of "stopping the playing of the static audio player of the specific amplitude of the discrete frequency when the ending point occurs", classified in class 386, subclass 98.
  - III. Claims 11-12, drawn to a system for manipulating of video signals including the feature of "the playing mechanism continuing to play the corresponding color information for each pixel by video frame obtained...at which time the changed color information is played from the memory mechanism", classified in class 386, subclass 31.
  - IV. Claims 13-20, drawn to a system for manipulating video signals including the feature of "stopping the playing of the static video player at the end of the static video file", classified in class 386, subclass 35.

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V. Claims 21-22, drawn to the system for manipulating video or audio signals including the feature of "recreating the audio or video signal from the representative signal at the remote location", classified in class 386, subclass 54.

2. The inventions are distinct, each from the other because of the following reasons:

The inventions as grouped above are distinct inventions not useable together or in the same system. The five groups of inventions are useable apart from each other and have unique specific structures not required of the other, and can therefore be separately useable as distinct inventions. For example, the system for manipulation of audio signals including the feature of the "playing mechanism continuing to play the corresponding frequency and amplitude information for each time interval...at which time the changed frequency and amplitude information is played from the memory mechanism" as specified in claim 1 of Group I, does not require the feature of "stopping the playing of the static audio player of the specific amplitude of the discrete frequency when the ending point occurs", as specified in claim 3 of group II, the feature of "the playing mechanism continuing to play the corresponding color information for each pixel by video frame obtained...at which time the changed color information is played from the memory mechanism" as specified in claim 11 of Group III, the feature of "stopping the playing of the static video player at the end of the static video file" as specified in claim 13 of Group IV, and the feature of "recreating the audio or video signal from the representative signal at the remote location" as specified in claim 21 of Group V.

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Moreover, the system for manipulation of audio signals including the feature of "stopping the playing of the static audio player of the specific amplitude of the discrete frequency when the ending point occurs" as specified in claim 3 of Group II does not required the feature of "the playing mechanism continuing to play the corresponding color information for each pixel by video frame obtained...at which time the changed color information is played from the memory mechanism" as specified in claim 11 of Group III, the feature of "stopping the playing of the static video player at the end of the static video file" as specified in claim 13 of Group IV, the feature of "recreating the audio or video signal from the representative signal at the remote location" as specified in claim 21 of Group V, and the feature of "playing mechanism continuing to play the corresponding frequency and amplitude information for each time interval....at which time the changed frequency and amplitude information is played from the memory mechanism" as specified in claim 1 of Group I.

Moreover, system for manipulating of video signals including the feature of "the playing mechanism continuing to play the corresponding color information for each pixel by video frame obtained...at which time the changed color information is played from the memory mechanism" as specified in claim 11 of Group III does not require the feature of "stopping the playing of the static video player at the end of the static video file" as specified in claim 13 of Group IV, the feature of "recreating the audio or video signal from the representative signal at the remote location" as specified in claim 21 of

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Group V, the feature of "playing mechanism continuing to play the corresponding frequency and amplitude information for each time interval....at which time the changed frequency and amplitude information is played from the memory mechanism" as specified in claim 1 of Group I, and the feature of "stopping the playing of the static audio player of the specific amplitude of the discrete frequency when the ending point occurs" as specified in claim 3 of Group II.

Furthermore, the system for manipulating video signals including the feature of "stopping the playing of the static video player at the end of the static video file" as specified in claim 13 of Group IV does not require the feature of "recreating the audio or video signal from the representative signal at the remote location" as specified in claim 21 of Group V, the feature of "playing mechanism continuing to play the corresponding frequency and amplitude information for each time interval....at which time the changed frequency and amplitude information is played from the memory mechanism" as specified in claim 1 of Group I, the feature of "stopping the playing of the static audio player of the specific amplitude of the discrete frequency when the ending point occurs" as specified in claim 3 of Group II, and the feature of "the playing mechanism continuing to play the corresponding color information for each pixel by video frame obtained...at which time the changed color information is played from the memory mechanism" as specified in claim 11 of Group III.

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Moreover, the system for manipulating video or audio signals including the feature of "recreating the audio or video signal from the representative signal at the remote location" as specified in claim 21 of Group V does not require the feature of "playing mechanism continuing to play the corresponding frequency and amplitude information for each time interval....at which time the changed frequency and amplitude information is played from the memory mechanism" as specified in claim 1 of Group I, the feature of "stopping the playing of the static audio player of the specific amplitude of the discrete frequency when the ending point occurs" as specified in claim 3 of Group II, the feature of "the playing mechanism continuing to play the corresponding color information for each pixel by video frame obtained...at which time the changed color information is played from the memory mechanism" as specified in claim 11 of Group III, and the feature of "stopping the playing of the static video player at the end of the static video file" as specified in claim 13 of Group IV.

3. Because these inventions are distinct for the reasons given above and the search required for one Group is not required for the other, and have acquired a separate status in the art and because of their recognized divergent subject matter restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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4. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bob Chevalier whose telephone number is 571-272-7374. The examiner can normally be reached on MM-F (9:00-6:30), second Monday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

*Robert Chevalier*  
ROBERT CHEVALIER  
PRIMARY EXAMINER

B. Chevalier  
March 23, 2007.